

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ROBERT WAYNE DEMONBREUM]	
Movant,]	
v.]	No. 3:10-0568
UNITED STATES OF AMERICA]	(Crim. No. 3:02-00130)
Respondent.]	Judge Campbell

O R D E R

In accordance with the Memorandum contemporaneously entered, the Court finds merit in the government's Motion to Dismiss (Docket Entry Nos.11,13). Therefore, movant's § 2255 Motion to Vacate, Set Aside or Correct Sentence (Docket Entry No.1) is DENIED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2255 Cases.

Should the movant file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the movant has failed to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.

Todd Campbell
Todd Campbell
United States District Judge